

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
Inventor : Kevin I. Bertness

Appln. No.: 10/681,666

Filed : October 8, 2003

For : ELECTRONIC BATTERY TESTER WITH
PROBE LIGHT

Docket No.: C382.12-0169

Group Art Unit: 2838

Examiner: Edward H. Tso

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

**ELECTRONICALLY FILED ON
DECEMBER 21, 2007**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

Applicant appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated September 26, 2007, finally rejecting claims 1, 4-30.

FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(b) the fee for filing the Notice of Appeal is:

<input type="checkbox"/> other than a small entity	\$500.00
<input checked="" type="checkbox"/> small entity	\$250.00

EXTENSION OF TIME

These proceedings are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(a) ☐ Applicant petitions for an extension of time under 37 C.F.R. § 1.17(a)-(d) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$225.00
<input type="checkbox"/> three months	\$1,020.00	\$510.00
<input type="checkbox"/> four months	\$1,590.00	\$795.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

[] An extension for --- --- has already been secured and the fee paid therefor of \$--- is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$---

or

(b) [X] Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$255 (Previously Paid 11/8/06)

FEE PAYMENT

☐ PTO-2038 in the amount of \$_____ is attached.

☐ Charge Deposit Account No. 23-1123, the sum of \$.

The Director is authorized to charge any additional fees associated with this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,
WESTMAN, CHAMPLIN & KELLY, P.A.

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AGR:tkj